

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 126 be amended to read as follows:

- 1 Page 2, line 21, delete "If" and insert "**Except as provided in**
- 2 **subsection (c), if**".
- 3 Page 3, after line 13, begin a new paragraph and insert:
- 4 "**(c) A new replacement covenant described in subsection (b)**
- 5 **does not apply to and is not binding on property in one (1) section**
- 6 **of lots if one (1) or more of the following apply:**
- 7 **(1) The average lot size of all lots in the section is at least**
- 8 **twenty-five percent (25%) larger or smaller than the average**
- 9 **lot size of all lots in a development described in subsection (a).**
- 10 **(2) The average home size of all homes in the section is at least**
- 11 **twenty-five percent (25%) larger or smaller than the average**
- 12 **home size of all homes in a development described in**
- 13 **subsection (a).**
- 14 **(3) The average assessed value of all property in the section is**
- 15 **at least twenty-five percent (25%) larger or smaller than the**
- 16 **average assessed value of all property in a development**
- 17 **described in subsection (a).**
- 18 **(d) A new replacement covenant described in subsection (b)**
- 19 **applies only prospectively, beginning on the date the covenant is**
- 20 **recorded. The adoption of a new replacement covenant does not**
- 21 **require a person to alter the person's home or lot to comply with**

- 1 **the new replacement covenant if the condition of the person's home**
- 2 **or lot was permissible or authorized under the previous covenant.".**
(Reference is to SB 126 as printed January 18, 2013.)

Senator HOLDMAN